

SEP 21 2006

PTO/SB/97 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U. S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Application No. (if known): 10/580,023

Attorney Docket No.: 022290.0159PTUS

**Certificate of Transmission under 37 CFR 1.8**

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office.

on September 21, 2006  
Date

Signature

Rebecca Gillette

Typed or printed name of person signing Certificate

Registration Number, if applicable

(703) 744-7914  
Telephone Number

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

Amendment Transmittal (1 page)  
First Preliminary Amendment (3 pages)

## BEST AVAILABLE COPY

RECEIVED  
CENTRAL FAX CENTER

SEP 21 2006

## FAX TRANSMISSION

DATE: September 21, 2006

PTO IDENTIFIER: Application Number 10/580,023  
Patent Number

Inventor: Gauthier Pouliken et al.

MESSAGE TO: US Patent and Trademark Office

FAX NUMBER: (571) 273-8300

FROM: PATTON BOGGS LLP

Lacy L. Kolo

PHONE: (703) 744-8000

Attorney Dkt. #: 022290.0159PTUS

PAGES (Including Cover Sheet): 6

CONTENTS: Amendment Transmittal (1 page)  
First Preliminary Amendment (3 pages)  
Certificate of Transmission (1 page)

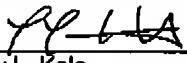
If your receipt of this transmission is in error, please notify this firm immediately by collect call to sender at (703) 744-8000 and send the original transmission to us by return mail at the address below.

This transmission is intended for the sole use of the individual and entity to whom it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. You are hereby notified that any dissemination, distribution or duplication of this transmission by someone other than the intended addressee or its designated agent is strictly prohibited.

PATTON BOGGS LLP  
8484 Westpark Drive, 9th Floor, McLean, Virginia 22102  
Telephone: (703) 744-8000 Facsimile: (703) 744-8001

BEST AVAILABLE COPY

SEP 21 2006

AMENDMENT TRANSMITTAL LETTER				Docket No. 022290.0159PTUS
Application No. 10/580,023	Filing Date May 19, 2006	Examiner Not Yet Assigned	Art Unit N/A	
Applicant(s): Gauthier Pouliken et al.				
Invention: PHARMACEUTICAL FORMULATIONS FOR THE PROLONGED RELEASE OF ACTIVE PRINCIPLE(S) AND THEIR THERAPEUTIC APPLICATIONS				
TO THE COMMISSIONER FOR PATENTS				
Transmitted herewith is an amendment in the above-identified application.				
The fee has been calculated and is transmitted as shown below.				
CLAIMS AS AMENDED				
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate
Total Claims	- 20 =		x	
Independent Claims	- 3 =		x	
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>				
Other fee (please specify):				
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:				0.00
<input checked="" type="checkbox"/> Large Entity		<input type="checkbox"/> Small Entity		
<input type="checkbox"/> No additional fee is required for this amendment.				
<input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of \$ _____. A duplicate copy of this sheet is enclosed.				
<input type="checkbox"/> A check in the amount of \$ _____ to cover the filing fee is enclosed.				
<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.				
<input checked="" type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account No. <u>50-2228</u> as described below. A duplicate copy of this sheet is enclosed.				
<input type="checkbox"/> Credit any overpayment.				
<input type="checkbox"/> Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.				
Dated: <u>September 21, 2006</u>				
 <u>Lacy L. Kolo</u> Attorney/Agent Reg. No.: 55,340				
PATTON BOGGS LLP 8484 Westpark Drive, 9th Floor McLean, Virginia 22102 (703) 744-8000				

## BEST AVAILABLE COPY

SEP 21 2006

Docket No.: 022290.0159PTUS  
(PATENT)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

---

In re Patent Application of:  
Gauthier Pouliquen et al.

Application No.: 10/580,023

Confirmation No.: N/A

Filed: May 19, 2006

Art Unit: N/A

For: PHARMACEUTICAL FORMULATIONS FOR  
THE PROLONGED RELEASE OF ACTIVE  
PRINCIPLE(S) AND THEIR THERAPEUTIC  
APPLICATIONS

---

Examiner: Not Yet Assigned

**FIRST PRELIMINARY AMENDMENT**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**INTRODUCTORY COMMENTS**

Prior to examination on the merits, please amend the above-identified U.S. patent application as follows:

Amendments to the Specification begin on page 2 of this paper.

Remarks/Arguments begin on page 3 of this paper.

3666238